

Domestic Relations Committee
Judicial Conference of Indiana

Minutes

November 21, 2008

The Domestic Relations Committee met in Indianapolis, Indiana on Friday, November 21, 2008 from 9:00 a.m. – 3:15 p.m. for a meeting at the Indiana Judicial Center.

1. Members present. Francis G. Hill, Karen M. Love, Sheryl L. Lynch, Frederick A. Schurger, Dean A. Young and William C. Fee, Chair, were present.
2. Staff present. Jeffrey Bercovitz provided the committee with staff assistance.
3. Guests present. Amber Njau, Project Analyst, Vicki Tillman, Business Analyst and Cynthia Longest, Deputy Director, Child Support Bureau; Karla Mantia, Indiana Prosecuting Attorney's Council; and Dr. Jane Venohr via conference call were also present.
4. Minutes approved. The minutes for the October 17, 2008 meeting were approved.
5. Draft child support guidelines.
 - a. Committee members revised Guideline 6 into four portions: Guideline 6 on parenting time credit; Guideline 7 on health care; Guideline 8 on educational costs; and Guideline 9 on additional guideline items. Members of the committee agreed to review Guideline 7 on health care after it is prepared by Judge Hill and Magistrate Bobay for review.
 - b. Cynthia Longest reported questions about collection of birth expense language were not being answered by federal officials and she decided not to ask the committee for revisions at this time. Judge Young asked the committee to consider commentary including recent Indiana case decisions about birth expenses, which the committee agreed to consider at its next meeting.
 - c. Committee members reviewed edits of language previously drafted from Dr. Jane Venohr defining the reasonable cost of medical support. They decided this amount should be calculated on a separate worksheet and then placed on the basic child support obligation worksheet. They reviewed information for this new worksheet, Option A recommended by Dr. Venohr, via conference call.
 - d. Members of the committee confirmed with Dr. Venohr the percentage amounts used in the parenting time credit: 50% duplicated costs; 35% transferred costs; and 15% controlled costs. The allocation of the controlled costs only becomes a concern when there is near equal sharing of the child during the year.
 - e. Committee members agreed to extend the child support obligation tables to include 6, 7, and 8 children, and agreed the maximum spouse and child amounts ordered would never exceed 50% of the combined weekly adjusted income.
 - e. Committee members reviewed a draft survey of deviations. It could be completed by judicial officers, IV-D prosecutors, attorneys, and members of the public.
6. Next meeting.
 - a. Committee members agreed for the January 23 meeting to: (1) review placement of all health care language together in guideline 7, including health insurance, federal medical costs, birth expenses, and 6% rule, prepared by Judge Hill and Mag. Bobay; (2) update the child support formula now in the commentary of child support guidelines, Dr. Venohr; (3) look at multiple child support order language by Mag. Raduenz; (4) review health care expense language by Judge Hill

and Mag. Bobay; (5) review subsequent children language from Judge McGillivray; (6) review birth expense language from Judge Young; (7) additional factors for tax exemptions in commentary from Comm. Lynch; and (8) review the revised report from Dr. Venohr. They also agreed to begin the meeting at 9:00 a.m. with an overnight room the night before with the availability of grant funds.

b. Committee members agreed to meet on Friday, January 23, 2009 from 9:00 a.m. – 4:00 p.m.; February 20, March 20, May 15, July 17, and August 21 from 10:30 a.m. - 4:00 p.m. all at the Indiana Judicial Center.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law